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The DL motions are continued. As not all opponents to the Debtor's Motion have consented, that motion will go forward to the extent necessary to determine whether the relief requested should be granted pending the final hearing on June 15.

Entered on Docket June 02, 2006

Hon. Linda B. Riegle United States Bankruptcy Judge

6 Annette W. Jarvis, Utah Bar No. 1649 RAY QUINNEY & NEBEKER P.C. 7 36 South State Street, Suite 1400 P.O. Box 45385 8 Salt Lake City, Utah 84145-0385 Telephone: (801) 532-1500 9 Facsimile: (801) 532-7543 10 Email: ajarvis@rqn.com 11 Lenard E. Schwartzer 12 Nevada Bar No. 0399 Schwartzer & McPherson Law Firm 13 2850 South Jones Boulevard, Suite 1 14 Las Vegas, Nevada 89146-5308 Telephone: (702) 228-7590 15 Facsimile: (702) 892-0122 E-Mail: bkfilings@s-mlaw.com 16 Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:

USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:

USA SECURITIES, LLC,

Debtor.

Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under Case No. BK-S-06-10725 LBR 7

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1	Affects:	STIPULATION AND ORDER RE
	All Debtors	CONTINUING CERTAIN MOTIONS
2	☐ USA Commercial Mortgage Company	
٠,	☐ USA Securities, LLC	Current Date:
3	☐ USA Capital Realty Advisors, LLC	Date: June 5, 2006
4	☐ USA Capital Diversified Trust Deed Fund, LLC	Time: 9:30 a.m.
,	☐ USA First Trust Deed Fund, LLC	New Date:
2		Date: June 15, 2006
6		Time: 10:00 A.M.

IT IS HEREBY STIPULATED and AGREED by and between USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital Trust Deed Fund, LLC (collectively, the "Debtors") by and through their attorneys, the law firm of Schwartzer & McPherson and Ray Quinney & Nebeker; the Official Committee of Holders of Executory Contract Rights through USA Commercial Mortgage Company (the "Direct Lenders Committee") by and through its proposed attorneys, the law firm of Gordon & Silver, Ltd.; the Office of the United States Trustee, by and through August B. Landis (the "Trustee"); the Stanley Alexander Trust, Dr. Stanley Alexander, and Dr. Florence Alexander (collectively, the "Alexanders") by and through their attorneys, the Law Offices of Robert C. LePome, Esq.; Grabel B. Ronning, The Wild Water Limited Partnership, Crosbie B. Ronning, and the Bosworth 1988 Family Trust (collectively, the "Ronning Group") by and through their attorneys, the Law Offices of Robert C. LePome, Esq.; Scott K. Canepa ("Canepa") by and through his attorneys, the law firm of Lionel Sawyer & Collins; James Corison ("Corison") by and through his attorney Franklin Adams, Esq.; Norman Kiven ("Kiven") by and through his attorney Robert Kinas, Esq.; Mountain West Mortgage, LLC by and through its attorney Marjorie Guymon, Esq.; and certain self-defined Direct Lenders (the "Certain Direct Lenders"), by and through their attorneys, the law firm of Jones Vargas, as follows:

WHEREAS on April 13, 2006 (the "Petition Date"), the Debtors filed their voluntary Chapter 11 bankruptcy petitions.

WHEREAS on May 8, 2006, the Debtors filed their Debtors' Motion To Temporarily Hold Funds Pending A Determination Of The Proper Recipients, and Memorandum Of Points and

1	Authorities (the "Motion to Hold Funds"), which is scheduled to be heard at the June 5, 2006
2	Omnibus Hearing. See Motion to Hold Funds, docket no. 173.
3	WHEREAS on May 11, 2006, the Certain Direct Lenders filed their Direct Lenders'
4	Motion For Relief From The Automatic Stay (the "DL Motion for Relief"), which is scheduled to
5	be heard at the June 5, 2006 Omnibus Hearing. See DL Motion for Relief, docket no. 209.
6	WHEREAS contemporaneously with the DL Motion for Relief, the Certain Direct Lenders
7	filed their Direct Lenders' Motions: 1. To Compel Debtor To Continue To Forward Lender
8	Payments To Direct Lenders; and 2. To Delay Or Prohibit Appraisals On Performing Loans (the
9	"DL Motion to Forward Payments"), which is scheduled to be heard at the June 5, 2006 Omnibus
10	Hearing. See DL Motion to Forward Payments Motion, docket no. 215.
11	WHEREAS, various oppositions to the Motion To Hold Funds have been filed.
12	WHEREAS, the parties believe that justice requires the parties and the Court to be
13	completely prepared for these hearings on these matters.
14	NOW, THEREFORE, it is hereby stipulated and agreed as follows:
15	1. The hearings on the (a) Motion to Hold Funds, (b) DL Motion for Relief, and (c)
16	DL Motion to Forward Payments shall be continued to June 15, 2006 at 10:00 A.M.
17	2. The deadline to file a responsive pleading to the Motion to Hold Funds, DL Motion
18	for Relief, and DL Motion to Forward Payments is hereby extended to and including June 9, 2006.
19	3. The deadline to file replies to any responses is hereby extended to and including
20	June 13, 2006 at 12:00 noon.
21	DATED this 31 st day of May, 2006.
22	RAY, QUINNEY & NEBEKER, P.C. and GORDON & SILVER, LTD.
23	SCHWARTZER & MCPHERSON LAW FIRM
24	
25	By: By: Gerald M. Gordon, Esq. Gerald M. Gordon, Esq.
26	Jeanette E. McPherson, Esq. Gregory M. Garman, Esq. Attorneys for the Debtors and Debtors in Talitha B. Gray, Esq.
27	Possession Proposed Attorneys For Executory Contract (Direct Lenders) Committee
28	Contact (Direct Londons) Committee

LAW OFFICES OF ROBERT C. LEPOI
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Robert C. LePome, Esq.
Attorneys for the Alexanders and the Ronning Group
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JONES VARGAS
By:
Janet Chubb, Esq.
Attorneys for Certain Direct Lenders
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THE CONTRACTOR AND THE PARTY AND A CONTRACTOR AS
LEWIS & ROCA, LLP
By*
Susan M. Freeman, Esq.
Rob Charles, Esq.
Attorneys for Unsecured Creditors'
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BEST BEST & KRIEGER LLP
Ву:-
Franklin C. Adams, Esq.
Attorneys for James Corison
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	l	OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPOME, ESQ
	2		By: Robert C LePome, Esq.
	3	By: August B. Landis, Esq.	Robert C. LcPome, Esq. Attorneys for the Alexanders and the
	4	Scott Farrow, Esq.	Ronning Group
	5	LIONEL SAWYER & COLLINS	JONES VARGAS
	6	By:	Ву:
	7	By: Laurel E. Davis, Esq.	By:
	8	Rodney Jean, Esq. Attorneys for Scott K. Canepa	Attorneys for Certain Direct Lenders
	9	STUTMAN TREISTER & GLATT and SHEA & CARLYON, LTD.	LEWIS & ROCA, LLP
	10	~	27
	11	By: Christine Pajak, Esq.	By: Susan M. Freeman, Esq.
N.	12	Proposed Counsel for USA Capital First	Rob Charles, Esq.
Ter (702) 228-7590 · Fire (762) 892-0122	13	Trust Deed Fund Members Committee and USA Diversified Trust Deed Fund Members Committee	Attorneys for Unsecured Creditors' Committee
8	14	Continues	
8	15	GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
8	16	By: Marjorie Guymon Esq.	By. Franklin C. Adams, Esq.
(202) #	17	Marjorie Guymon Esq. Attorneys for Mountain West Mortgage, LLC	Franklin C. Adams, Esq. Attorneys for James Corison
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	19	snell & Wilmer	
	20	Ву:	
	21	Robert Kinas, Esq. Attorneys for Norman Kiven	
	22	O	RDER
	23	IT IS SO ORDERED.	ND BK
	24		
	25	PREPARED AND SUBMITTED by: RAY, QUINNEY & NEBEKER, P.C. and SCHWARTER & MCDIFFESON LAW ERM	
	26	SCHWARTZER & MCPHERSON LAW FIRM	
	2.7	By:	
	28	Jeanette E. McPherson, Esq. Attorneys for the Debtors and Debtors in Poss	ession

Page 4 of 4

SCHWARTZER & MCPHERSON LAW FIRM	2850 South Jones Boulevard, Suite 1	Las Vegas, Nevada 89146-5308	Tel: (702) 228-7590 · Fax: (702) 892-0122
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1	OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPOME, ESQ.
2 3 4 5 6 7 8	By: August B. Landis, Esq. Scott Farrow, Esq. LIONEL SAWYER & COLLINS By: Laurel E. Dayis, Esq. Rodney Jean, Esq. Aftorneys for Scott K. Canepa STUTMAN TREISTER & GLATT and SHEA	By: Robert C. LePome, Esq. Attorneys for the Alexanders and the Ronning Group JONES VARGAS By: Janet Chubb, Esq. Attorneys for Certain Direct Lenders LEWIS & ROCA, LLP
10	& CARLYON, LTD.	
11 12 13	By: Christine Pajak, Esq. Proposed Counsel for USA Capital First Trust Deed Fund Members Committee and USA Diversified Trust Deed Fund Members Committee	By: Susan M. Freeman, Esq. Rob Charles, Esq. Attorneys for Unsecured Creditors' Committee
15	GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
16 17 18	By: Marjorie Guymon Esq. Attorneys for Mountain West Mortgage, LLC SNELL & WILMER	By: Franklin C. Adams, Esq. Attorneys for James Corison
19		
21	By: Robert Kinas, Esq. Attorneys for Norman Kiven	
22	<u>O</u> F	<u>IDER</u>
23 24	IT IS SO ORDERED.	
25 26	PREPARED AND SUBMITTED by: RAY, QUINNEY & NEBEKER, P.C. and SCHWARTZER & MCPHERSON LAW FIRM	
27 28	By: Lenard E. Schwartzer, Esq. Jeanette E. McPherson, Esq. Attorneys for the Debtors and Debtors in Posses	ession ###
	Stip and order 060506 to 061506,doc	Page 4 of 4

OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPO
	By:Robert C. LePome, Esq.
By:August B. Landis, Esq.	Robert C. LePome, Esq. Attorneys for the Alexanders and the
August B. Landis, Esq. Scott Farrow, Esq.	Ronning Group
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By:	Janet Chubb, Esq.
Rodney Jean, Esq.	Attorneys for Certain Direct Lender
Attorneys for Scott K. Canepa	
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Зу:	Ву:
Christine Pajak, Esq.	Susan M. Freeman, Esq.
Proposed Counsel for USA Capital First	Rob Charles, Esq.
Trust Deed Fund Members Committee and	
USA Diversified Trust Deed Fund Members Committee	Committee
Communee	
GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
	Ву:
By: Marjorie Guymon Esq.	Franklin C. Adams, Esq.
Attorneys for Mountain West Mortgage,	Attorneys for James Corison
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3y:	
Robert Kinas, Esq.	
Attorneys for Norman Kiven	
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SCHWARTZER & MCPHERSON LAW FIRM	
Зу:	
Lenard E. Schwartzer, Esq.	
Jeanette E. McPherson, Esq.	
Attorneys for the Debtors and Debtors in Posse	ession ###
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OFFICE OF THE U.S. TRUSTEE

LAW OFFICES OF ROBERT C. LEPOME, ESQ.

2 3 4 5	By: August B. Landis, Esq. Scott Farrow, Esq. LIONEL SAWYER & COLLINS	By: Robert C. LePome, Esq. Attorneys for the Alexanders and the Ronning Group JONES VARGAS
6 7 8	By: Laurel E. Davis, Esq. Rodney Jean, Esq. Attorneys for Scott K. Canepa STUTMAN TREISTER & GLATT and SHEA & CARLYON, LTD.	By: Janet Chubb, Esq. Attorneys for Certain Direct Lenders LEWIS & ROCA, LLP
10 11 12 13	By: Christine Pajak, Esq. Proposed Counsel for the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC	By: Susan M. Freeman, Esq. Rob Charles, Esq. Attorneys for Unsecured Creditors' Committee
15	GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
16 17 18 19	By: Marjorie Guymon Esq. Attorneys for Mountain West Mortgage, LLC SNELL & WILMER	By: Franklin C. Adams, Esq. Attorneys for James Corison
20 21 22 23 24 25 26	By: Robert Kinas, Esq. Attorneys for Norman Kiven IT IS SO ORDERED. PREPARED AND SUBMITTED by: RAY, QUINNEY & NEBEKER, P.C. and SCHWARTZER & MCPHERSON LAW FIRM	DRDER
27 28	By: Lenard E. Schwartzer, Esq. Jeanette E. McPherson, Esq. Attorneys for the Debtors and Debtors in Pos	ssession ### Page 4 of 4
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D	By:Robert C. LePome, Esq.
By:August B. Landis, Esq.	Attorneys for the Alexanders and the
Scott Farrow, Esq.	Ronning Group
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Зу:	Ву:
Laurel E. Davis, Esq.	Janet Chubb, Esq.
Rodney Jean, Esq.	Attorneys for Certain Direct Lender
Attorneys for Scott K. Canepa	
STUTMAN TREISTER & GLATT and SHEA	LEWIS and ROCA, LLP
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Christine Pajak, Esq.	Susan M. Freeman, Esq.
Proposed Counsel for USA Capital First Trust Deed Fund Members Committee and	Rob Charles, Esq. Attorneys for Unsecured Creditors'
USA Diversified Trust Deed Fund Members	
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OLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
sy:	Ву:
Marjorie Guymon Esq.	By: Franklin C. Adams, Esq.
Attorneys for Mountain West Mortgage,	Attorneys for James Corison
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Robert Kinas, Esq.	
Attorneys for Norman Kiven	
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CHWARTZER & MCPHERSON LAW FIRM	
у:	
Lenard E. Schwartzer, Esq.	
Jeanette E. McPherson, Esq.	
Attorneys for the Debtors and Debtors in Pos	
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SCHWARTZER & MCPHERSON LAW FIRM	2850 South Jones Boulevard, Suite 1	Las Vegas, Nevada 89146-5308	Tel: (702) 228-7590 · Fax: (702) 892-0122
SCHWARTZER & D	2850 South Jo	Las Vegas,	Tel. (702) 228-75

1	OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPOM
2		By:Robert C. LePome, Esq.
3	By:August B. Landis, Esq.	Robert C. LePome, Esq. Attorneys for the Alexanders and the
	Scott Farrow, Esq.	Ronning Group
4	TYONET CANNED & COLLING	JONES VARGAS
5	LIONEL SAWYER & COLLINS	JONES VIRGIL
6	By:	Ву:
7	Laurel E. Davis, Esq.	Janet Chubb, Esq.
	Rodney Jean, Esq. Attorneys for Scott K. Canepa	Attorneys for Certain Direct Lenders
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9	STUTMAN TREISTER & GLATT and SHEA & CARLYON, LTD.	LEWIS & ROCA, LLP
10		
11	By:Christine Pajak, Esq.	By:Susan M. Freeman, Esq.
12	Christine Pajak, Esq. Proposed Counsel for USA Capital First	Rob Charles, Esq.
	Trust Deed Fund Members Committee and	Attorneys for Unsecured Creditors'
13	USA Diversified Trust Deed Fund Members	Committee
14	Committee	
15	GOLDSMYTH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
		Bv:
16	By: Marjorie Guymon Esq.	By: Franklin C. Adams, Esq.
17	Attorneys for Mountain West Mortgage,	Attorneys for James Corison
10	LLC	
18	SNELL & WILMER	
9		
20	By:	
	Robert Kinas, Esq.	
21	Attorneys for Norman Kiven	
22	<u>o</u>	RDER
23	IT IS SO ORDERED.	
24		
	PREPARED AND SUBMITTED by: RAY, QUINNEY & NEBEKER, P.C. and	
25	RAY, QUINNEY & NEBEKER, P.C. and SCHWARTZER & MCPHERSON LAW FIRM	
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27	By:	
	Lenard E. Schwartzer, Esq. Jeanette E. McPherson, Esq.	
28	Attorneys for the Debtors and Debtors in Poss	ession
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OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPO
	Ву:
Ву:	Robert C. LePome, Esq.
By:August B. Landis, Esq.	Attorneys for the Alexanders and the
Scott Farrow, Esq.	Ronning Group
LIONEL SAWYER & COLLINS	JONES VARGAS
Зу:	By:
By:	By:
Rodney Jean, Esq.	Attorneys for Certain Direct Lender
Attorneys for Scott K. Canepa	
STUTMAN TREISTER & GLATT and SHEA & CARLYON, LTD.	LEWIS & ROCA, LLP
Зу:	By: Susan M. Freeman, Esq.
Christine Pajak, Esq.	
Proposed Counsel for USA Capital First Trust Deed Fund Members Committee and	Rob Charles, Esq. Attorneys for Unsecured Creditors'
USA Diversified Trust Deed Fund Members	Committee
Committee	Commence
GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
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By: Marjorie Guymon Esq.	By:
Attorneys for Mountain West Mortgage,	Franklin C. Adams, Esq. Attorneys for James Corison
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Robert Kinas, Esq.	
Attorneys for Norman Kiven	
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IT IS SO ORDERED.	
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AY, QUINNEY & NEBEKER, P.C. and	
CHWARTZER & MCPHERSON LAW FIRM	
у:	
Lenard E. Schwartzer, Esq.	
Jeanette E. McPherson, Esq.	
Attorneys for the Debtors and Debtors in Poss	ession ###
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OUCLOU OF CONTRACT	Page 4 of 4

OFFICE OF THE U.S. TRUSTEE	LAW OFFICES OF ROBERT C. LEPOM
By: August B. Landis, Esq. Scott Farrow, Esq.	By: Robert C. LePome, Esq. Attorneys for the Alexanders and the Ronning Group
LIONEL SAWYER & COLLINS	JONES VARGAS
By: Laurel E. Davis, Esq. Rodney Jean, Esq. Attorneys for Scott K. Canepa	By:
STUTMAN TREISTER & GLATT and SHEA & CARLYON, LTD.	LEWIS & ROCA, LLP
Christine Pajak, Esq. Proposed Counsel for USA Capital First Trust Deed Fund Members Committee and USA Diversified Trust Deed Fund Members Committee	By: Susan M. Freeman, Esq. Rob Charles, Esq. Attorneys for Unsecured Creditors' Committee
GOLDSMITH & GUYMON, P.C.	BEST BEST & KRIEGER LLP
By: Marjorie Guymon Esq. Attorneys for Mountain West Mortgage, LLC SNELL & WILMER	By: Franklin C. Adams, Esq. Attorneys for James Corison
By: Robert Kirlas, Fsq. Attorneys of Norman Kiven	
OR	<u>der</u>
IT IS SO ORDERED.	
PREPARED AND SUBMITTED by: RAY, QUINNEY & NEBEKER, P.C. and SCHWARTZER & MCPHERSON LAW FIRM By: Lenard E. Schwartzer, Esq. Jeanette E. McPherson, Esq. Attorneys for the Debtors and Debtors in Posse	ession
Stip and order 060506 to 061506.doc	Page 4 of 4